



OFFICE OF
INSURANCE COMMISSIONER

3751 11/15/06 \$1,250.00 ✓

In the Matter of)

No. D06-289 A

ING USA ANNUITY AND LIFE)
INSURANCE COMPANY,)

CONSENT ORDER
IMPOSING A FINE

An Authorized Insurer)
_____)

Findings of Fact:

1. ING USA Annuity and Life Insurance Company ("ING USA") is authorized to conduct insurance business in Washington State. It issues life and disability insurance.
2. ING USA completed filing its calendar year 2004 Annual Statement and 2004 April Supplements with the Office of the Insurance Commissioner ("OIC") on April 20, 2005.
3. ING USA completed filing its calendar year 2005 Annual Statement with the OIC on May 1, 2006.

Conclusions of Law:

1. ING USA's failure to timely file its calendar year 2004 Annual Statement, 2004 April Supplements, and 2005 Annual Statement constitutes three violations of RCW 48.05.250.
2. RCW 48.05.185 authorizes the Commissioner to impose a fine in lieu of or in addition to the suspension or revocation of an insurer's certificate of authority.

Consent to Order:

ING USA consents to the following, in order to resolve this matter without further legal or administrative proceedings. The Insurance Commissioner consents to resolve this matter in consideration of the insurer's payment of a fine as set forth below.

1. ING USA consents to the entry of the foregoing Findings of Fact and Conclusions of Law, and acknowledges its duty to comply fully with all applicable laws and regulations of the State of Washington. It waives further administrative or legal challenge to the actions taken, or to be taken, by the Insurance Commissioner, related to the subject matter of this Order.
2. Within thirty days of the entry of this Order, ING USA will pay to the Insurance Commissioner a fine in the amount of \$1,250 (one thousand two hundred fifty dollars).



3. Failure to pay the fine in full within thirty days of the entry of this order will constitute grounds for revocation of the certificate of authority held by ING USA in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 13 day of October, 2006.

ING USA ANNUITY AND LIFE INSURANCE COMPANY

By: June P. Howard

Printed Name: June P. Howard

Printed Corporate Title: Vice President

Pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner orders as follows:

Order:

1. ING USA Annuity and Life Insurance Company is ordered to pay, within thirty days of the entry of this order, a fine in the amount of \$1,250 (one thousand two hundred fifty dollars).
2. Failure to pay the fine timely and in full will constitute grounds for revocation of the certificate of authority held by the insurer in Washington State. It will also result in a civil action being brought by the Attorney General on behalf of the Insurance Commissioner, to recover the fine.

Executed this 16th day of October, 2006

MIKE KREIDLER
Insurance Commissioner

By: Marcia G. Stickler
Marcia G. Stickler
Legal Affairs Division